

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 61 public bills, H.R. 4190–4250; and 13 resolutions, H. Con. Res. 259–263; and H. Res. 828–836 were introduced.

Pages H14080–83

Additional Cosponsors:

Page H14083

Reports Filed: Reports were filed today as follows:

H.R. 2406, to authorize the National Institute of Standards and Technology to increase its efforts in support of the integration of the healthcare information enterprise in the United States, with an amendment (H. Rept. 110–451);

H. Res. 661, honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world, with amendments (H. Rept. 110–452);

H. Res. 772, recognizing the American Highway Users Alliance on the occasion of its 75th anniversary (H. Rept. 110–453);

H.R. 409, to amend title 23, United States Code, to inspect highway tunnels (H. Rept. 110–454);

H.R. 3712, to designate the Federal building and United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. & Thomas W.L. Ashley Customs Building and United States Courthouse”, with amendments (H. Rept. 110–455);

H.R. 3985, to amend title 49, United States Code, to direct the Secretary of Transportation to register a person providing transportation by an over-the-road bus as a motor carrier of passengers only if the person is willing and able to comply with certain accessibility requirements in addition to other existing requirements (H. Rept. 110–456); and H.R. 2768, to establish improved mandatory standards to protect miners during emergencies, with an amendment (H. Rept. 110–457).

Page H14080

Speaker: Read a letter from the Speaker wherein she appointed Representative Altmire to act as Speaker Pro Tempore for today.

Page H13961

Mortgage Reform and Anti-Predatory Lending Act of 2007: The House passed H.R. 3915, to amend the Truth in Lending Act to reform consumer mortgage practices and provide accountability for such practices, to establish licensing and registration requirements for residential mortgage originators, and to provide certain minimum standards for consumer mortgage loans, by a yea-and-nay vote of 291 yeas to 127 nays, Roll No. 1118.

Pages H13978–H14037

Rejected the Blackburn motion to recommit the bill to the Committee on Financial Services with in-

structions to report the same back to the House forthwith with amendments, by a recorded vote of 188 ayes to 231 noes, Roll No. 1117.

Pages H14035–37

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Page H13789

Agreed by unanimous consent that amendment No. 16 printed in H. Rept. 110–450 may be offered out of sequence.

Pages H14011, H14018

Agreed by unanimous consent that amendment No. 10 printed in H. Rept. 110–450 may be offered out of sequence.

Page H14018

Accepted:

Frank (MA) manager's amendment (No. 1 printed in H. Rept. 110–450) that makes a number of technical and conforming changes as well as enhancements to the bill including the following: (1) clarifies the definition of loan originator; (2) narrows the scope of the preemption provision to make it clear that states cannot use or adopt state laws against securitizers/assignees for violations of the national standards or to impose remedies outside of the unique Federal remedy established in the bill, and to make it clear that actions for fraud, misrepresentation, deception, false advertising or civil rights laws are not preempted; (3) clarifies the registration requirements for the Nationwide Mortgage Licensing System and Registry; (4) allows consumers to obtain a cure from assignee or securitizer if creditor or other assignees cease to exist or go bankrupt; (5) clarifies the incentive compensation provision; and (6) adds a monthly disclosure requirement for mortgages;

Pages H14005–06

Kanjorski amendment (No. 2 printed in H. Rept. 110–450) that, reflecting provisions from H.R. 3837, betters consumer protection by improving mortgage servicing, protecting appraiser independence, ensuring better appraisal quality and regulatory oversight, requiring escrows for mortgages for borrowers who might experience difficulty with repayment, and establishing disclosure for consumers who waive escrow accounts;

Pages H14006–11

Maloney (NY) amendment (No. 3 printed in H. Rept. 110–450) that requires a borrower to receive the option of a mortgage without a prepayment penalty, if they are offered an amendment with a prepayment penalty. The amendment sets the maximum time for a prepayment penalty of 3 years and a maximum prepayment amount of 3% of the loan

for the first year, 2% for the second year and 1% for the third year;

Pages H14012–13

Putnam amendment (No. 10 printed in H. Rept. 110–450) that directs the GAO to conduct a study to determine the effects the enactment of H.R. 3915 will have on the availability and affordability of credit for homebuyers and mortgage lending, and to submit a report to Congress containing the findings and conclusions within one year of the enactment of the legislation;

Pages H14020–21

Watt amendment (No. 8 printed in H. Rept. 110–450) to the Hensarling amendment (No. 7 printed in H. Rept. 110–450) that adds that the obligor must have had actual knowledge of the false material information for the exemption from liability to take effect;

Pages H14022–23

Hensarling amended amendment (No. 7 printed in H. Rept. 110–450) that removes the civil liability of a lender and cancels the right of rescission for a borrower in instances when a borrower knowingly lied on their mortgage loan application;

Pages H14022–23

Meeks (NY) amendment (No. 9 printed in H. Rept. 110–450) that provides that the Nationwide Mortgage Licensing System and Registry shall not directly or indirectly offer educational courses for pre-licensure or continuing education for mortgage originators. In approving courses under this Act, the Nationwide Mortgage Licensing System and Registry shall apply reasonable standards in the review and approval of courses;

Pages H14023–24

Brown-Waite amendment (No. 11 printed in H. Rept. 110–450) that excludes loans insured by the Federal Housing Administration from the provisions of the bill;

Pages H14024–25

Al Green (TX) amendment (No. 14 printed in H. Rept. 110–450) that states that educational requirements include instruction on fraud, consumer protection, and fair lending issues; and

Pages H14028–29

Sutton amendment (No. 18 printed in H. Rept. 110–450) that requires loan creditors or servicers to provide a written notice to consumers with hybrid adjustable rate mortgages six months before their interest rates are due to reset. This notice would state the new interest rate, an explanation of how the new interest rate would be determined, the creditor's or servicer's good faith estimate of the monthly payment that will apply after the reset, a list of alternatives consumers may pursue before the date of adjustment or reset, and contact information for local HUD-approved housing counseling agencies and the state housing finance authority.

Pages H14031–33

Rejected:

Watt amendment (No. 4 printed in H. Rept. 110–450) that sought to allow for actual damages in

the liability section (by a recorded vote of 169 ayes to 250 noes, Roll No. 1112);

Pages H14013–14, H14014–15

Watt amendment (No. 5 printed in H. Rept. 110–450) that sought to require the assignee to have policies/procedures and to cure the loan to avoid being liable for rescission;

Pages H14019–20

Price (GA) amendment (No. 16 printed in H. Rept. 110–450) that sought to exempt prime loans from the bill (by a recorded vote of 172 ayes to 249 noes, Roll No. 1114);

Pages H14014–15, H14033

Garrett (NJ) amendment (No. 12 printed in H. Rept. 110–450) that sought to strike the rebuttable presumption under section 203, stating that all qualified safe harbor loans that meet the requirements listed in section 203(c)(3)(C) fall under the safe harbor (by a recorded vote of 188 ayes to 229 noes, Roll No. 1115); and

Pages H14025–26, H14033–34

McHenry amendment (No. 15 printed in H. Rept. 110–450) that sought to strike Title III—High-Cost Mortgages from the bill (by a recorded vote of 168 ayes to 244 noes, Roll No. 1116).

Pages H14029–31, H14034–35

Withdrawn:

Watt amendment (No. 6 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have changed the irrebuttable presumption under section 203 to a rebuttable presumption for all mortgages that allow a borrower to defer payment of principal or interest;

Pages H14021–22

Frank (MA) amendment (No. 13 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have allowed regulators to fine mortgage originators, assignees and securitizers who more than occasionally ("pattern or practice") violate the minimum standards for loans established in the bill at least \$1 million, \$25,000 per loan. Proceeds would be held in trust by the US Treasury for the benefit of borrowers who have no other avenue for obtaining a remedy; and

Pages H14026–28

Van Hollen amendment (No. 17 printed in H. Rept. 110–450) that was offered and subsequently withdrawn that would have required that in the case of a residential mortgage loan, closing costs may not exceed by more than 10% any estimate of closing costs disclosed to the consumer in advance of closing.

Page H14031

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House.

Page H14037

H. Res. 825, the rule providing for consideration of the bill, was agreed to by voice vote after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 195 nays, Roll No. 1109.

Pages H13764–69, H13977

Adjournment Resolution: The House agreed to H. Con. Res. 259, providing for an adjournment or recess of the two Houses, by a yea-and-nay vote of 214 yeas to 196 nays, Roll No. 1113. **Page H14018**

Discharge Petition: Representative Aderholt moved to discharge the Committee on Rules from the consideration of H. Res. 748, providing for the consideration of the bill (H.R. 3584) to amend title XXI of the Social Security Act to extend funding for 18 months for the State Children's Health Insurance Program (SCHIP), and for other purposes (Discharge Petition No. 4). **Page H14086**

RESTORE Act of 2007: The House passed H.R. 3773, to amend the Foreign Intelligence Surveillance Act of 1978 to establish a procedure for authorizing certain acquisitions of foreign intelligence, by a recorded vote of 227 yeas to 189 nays, Roll No. 1120. Consideration of the measure began on October 17th. **Pages H14037–62**

Rejected the Smith (TX) motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House promptly with amendments, by a yea-and-nay vote of 194 yeas to 222 nays, Roll No. 1119. **Pages H14059–61**

Pursuant to the rule, the further amendment to H.R. 3773, as amended, printed in H. Rept. 110–449 shall be considered as adopted. **Page H14059**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H14063**

H. Res. 824, the rule providing for further consideration of the bill, was agreed to by a yea-and-nay vote of 224 yeas to 192 nays, Roll No. 1111, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 195 nays, Roll No. 1110. **Pages H13969–76, H13977–78**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, November 13th:

Amending title 18 of the United States Code to clarify the scope of the child pornography laws: H.R. 4136, amended, to amend title 18 of the United States Code to clarify the scope of the child pornography laws, by a 2/3 yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 1121.

Pages H14062–63

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008—Presidential Veto: The House voted to sustain the President's veto of H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending Sep-

tember 30, 2008, by a yea-and-nay vote of 277 yeas to 141 nays, Roll No. 1122 (two-thirds of those present not voting to override). **Pages H14063–66**

Subsequently, the message (H. Doc. 110–76) and the bill were referred to the Committee on Appropriations. **Page H14066**

Speaker Pro Tempore: Read a letter from the Speaker wherein she appointed Representative Hoyer and Representative Van Hollen to act as Speaker pro tempore to sign enrolled bills and joint resolutions through December 4, 2007. **Page H14066**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, December 5th. **Page H14085**

Senate Messages: Messages received from the Senate today appear on pages H13969 and H14062.

Senate Referrals: S. 597 and S. 2371 were held at the desk.

Quorum Calls Votes: Eight yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H13976, H13977, H13977–78, H14015–16, H14018, H14033, H14033–34, H14034–35, H14036–37, H14037, H14061, H14061–62, H14062–63, and H14065–66. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and at 11:40 p.m., pursuant to the provisions of H. Con. Res. 259, the House stands adjourned until 2 p.m. on Tuesday, December 4, 2007.

Committee Meetings

COUNTERING TERRORISM'S IDEOLOGICAL SUPPORT

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on strategic communications and countering ideological support for terrorism. Testimony was heard from Duncan MacInnes, Principal Deputy Coordinator, Bureau of International Information Programs, Department of State; and the following officials of the Department of Defense, CAPT Hall Pittman, USN, Acting Deputy Assistant Secretary, (Joint Communication); and Michael Doran, Deputy Assistant Secretary, (Support for Public Diplomacy).

COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007

Committee on Education and Labor: Ordered reported, as amended, H.R. 4137, College Opportunity and Affordability Act of 2007.